

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GABINO GENAO,

Plaintiff,

-against-

CITY OF NEW YORK; CIB WILLIAMS;
SECURITY OFFICER LYNCH; C.O.
MORALES; CAPT. LEMON; GRVC WARDEN
JANE/JOHN DOE; CAPTAIN PHILLIPS; C.O.
KRISTINA FORD,

Defendants.

20 Civ. 6507 (PGG) (SLC)

ORDER OF SERVICE

SARAH L. CAVE, United States Magistrate Judge:

Plaintiff, currently detained in the Manhattan Detention Center, brings this *pro se* action under 42 U.S.C. § 1983, alleging that defendants violated his federal constitutional rights when he was detained in the George R. Vierno Center (GRVC) on Rikers Island. By order dated September 21, 2020, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* ("IFP").¹ (ECF No. 6).

DISCUSSION

A. Service on defendants

The Clerk of Court is respectfully directed to notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that the City of New York, CIB Williams, Security Officer Lynch, Correctional Officers Morales and Kristina Ford, Captains Lemon and Phillips, and the Warden of GRVC, waive service of summons pursuant to Fed. R. Civ. P. 4(d).

¹ Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed IFP. *See* 28 U.S.C. § 1915(b)(1).

B. Local Civil Rule 33.2

Local Civil Rule 33.2, which requires defendants in certain types of prisoner cases to respond to specific, court-ordered discovery requests, applies to this action. Those discovery requests are available on the Court's website under "Forms" and are titled ["Plaintiff's Local Civil Rule 33.2 Interrogatories and Requests for Production of Documents."](#) Within 120 days of the date of this order, Defendants must serve responses to these standard discovery requests. In their responses, Defendants must quote each request verbatim.²

CONCLUSION

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff at the address below, together with an information package.

The Clerk of Court is respectfully directed to electronically notify the New York City Department of Correction and the New York City Law Department of this order. The Court requests that Defendants City of New York, CIB Williams, Security Officer Lynch, Correctional Officers Morales and Kristina Ford, Captains Lemon and Phillips, and the Warden of GRVC waive service of summons.

Local Civil Rule 33.2 applies to this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

² If Plaintiff would like copies of these discovery requests before receiving the responses and does not have access to the website, Plaintiff may request them from the Pro Se Intake Unit.

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: October 21, 2020
New York, New York



SARAH L. CAVE
United States Magistrate Judge

Mail to: Gabino Genao
Prisoner ID No. 113-17-00734
Manhattan Detention Center
125 White Street
New York, new York 10013